

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,
Plaintiff,

vs.

JOHN EARL BERIDON JR.,
Defendant.

8:20-CR-236

ORDER NUNC PRO TUNC

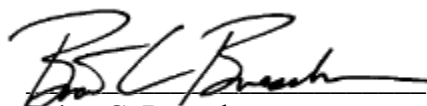
This matter is before the Court on Defendant's Motion to Proceed In Forma Pauperis, [Filing 88](#). Defendant seeks leave to proceed in forma pauperis on appeal, notice of which was filed on September 1, 2021. [Filing 88](#); [Filing 83](#). Defendant further requests the Court order that his in forma pauperis status began September 1, 2021, and appoint his attorney, Stuart Dornan, as counsel for his appeal. Federal Courts are allowed to make in forma pauperis status effective a certain date to "reflect the reality" of what has already occurred." See *Roman Catholic Archdiocese v. Acevedo Feliciano*, 140 S. Ct. 696, 700-01 (2020) (citations omitted) ("Federal courts may issue *nunc pro tunc* orders, or 'now for then' orders, to 'reflect the reality' of what has already occurred."). The Court finds Defendant qualifies to proceed in forma pauperis on appeal, and defense counsel has been representing him on appeal since September 1, 2021. Accordingly,

IT IS ORDERED:

1. Defendant's Motion to Proceed In Forma Pauperis, [Filing 88](#), on appeal is granted;
2. Stuart Dornan is appointed as defense counsel;
3. Defendant's in forma pauperis status and defense counsel's appointment are effective September 1, 2021.

Dated this 17th day of September, 2021.

BY THE COURT:


Brian C. Buescher
United States District Judge